

d. 434

402. b. 3  
9

A  
**CASE**  
OF  
**CONSCIENCE!**

*Whether it be lawful to admit Jews  
into a Christian Common-wealth?*

RESOLVED BY  
**M<sup>r</sup> JOHN DURY:**

Written To  
*Samuel Hartlib, Esquire.*



L O N D O N,  
Printed for *Richard Wodenothe*, in Leaden-Hall Street,  
next to the Golden Heart, 1656.

4 177

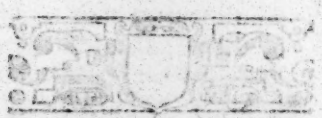
A  
CASE

OF  
CONSCIENCE

IN THE  
COMMONS

M. JOHN DURY:

Written To  
James H. W. L. L. L.



LONDON:  
Printed by the Author, at the Golden-Hall, near  
the Golden-Bear, 1776.



A  
CASE OF CONSCIENCE,

*Whether it be lawfull to admit Jews to come into  
a Christian Common-wealth?*

Resolved by Master John Dury

Written to Samuel Hartlib, Esquire.



Find it the Practice of most of the Protestant Common-wealths here in *Germany*, to admit of the Jews, but they do it with a huge marke of distinction between them and others; By which meanes they are made vile and contemptible. In the Cantons of *Switzerland*, they are not admitted, no not so much as to travell through the Country, or to come into a Town or City without leave, and paying a certain dutie, or to stay in a City, over Night; Which is said to befall unto them, by reason of some hainous Conspiracie, (to do a mischief to the Country, where they had Libertie to live,) attempted by them. I know none of the Reformed Churches or Divines, who makes their Admission to be Unlawfull: but it is a worke, which the Civil Magistrate takes wholly into his own consideration, to do, or not to do therein, what he findes expedient for the advantage of the

State; nor do I remember, to have read or heard, that the Case hath ever been put to any of the Churches, to be scanned as a matter of Conscience.

There is one of the Chief Reformed Divines, Doctor *Alting*, who in his Problematicall Theologie part. 2. problem: 21. puts this Question. *Utrum Judaei in societate Christianorum tolerandi sint?* And hee doth Answer it Affirmatively, And I am clearly of his opinion, that it is not onely lawfull, but if matters be rightly ordered towards them, expedient to admit of them; Nay to invite and encouragethem to live in Reformed Christian Commonwealths: how far it may be a sin to refuse them admittance, when they do desire it, upon lawfull termes, and in a reasonable way, is a further Question, which cannot be decided, till the former points of the lawfullnesse and expediencie of admitting of them be made out.

The Apostle makes a large difference between things lawfull and expedient to be done. 1. Cor. 10, from Verse, 23. till the end of the Chapter. Things are said to be lawfull, which being lookt upon in themselves, are not repugnant to any law of God, or of nature; And consequently left free to be done, if there be some cause found inducing thereunto; or not to be done, if there be causes found to the Contrary: in which respect, things lawfull are counted indifferent, that is by themselves, not putting any obligation upon the Conscience, to determine it either for doing, or not doing; but leaving it at libertie to be determined by the Concurrence of other Circumstances, which make the doing or not doing of the thing good or bad, as cloathed with such and such qualities concomitant or consequent. An Example of concomitant Circumstances, making an Action in it self lawfull, not to be expedient at a certain time, is given by the Apostle. 1 Cor. 10. Vers. 27. 28. 29. An example of of a thing, though lawfull, yet not expedient, by reason of a consequent Circumstance, is given, 1. Cor. 6. Ver. 12. 13. And another of the same kind, touching the receiving of wages, for doing the work of the Ministrie. 1. Cor. 9. Ver. 14. 15. 16. 17. 18. Which the Apostle shews, was not expedient for him to receive, though it was commanded by God to be given.

By this notion of lawfull and Expedient Actions, we must look

look upon the admitting of the Jews, if the Question be in respect of lawfulness, without any limitation to be answered Affirmatively: for taking Jews as they are, that is, men of a strange Nation; Who are banished from the Country of their inheritance, and made pilgrimes and wanderers through the world; A People in misery and distress, and so an Object of hospitality, there is no doubt, but they may lawfully be received into any civil Societie of men, to live and have a being therein, as strangers. For it is not lawfull for them, to desire to be received upon any other terme, because the rest of the world must be engrafted upon them towards God, and not they upon any other People. For in respect of Gods Providentiall Government of the World, the prerogative is still theirs, to be a People, set a part above all others, for the manifestation both of his Mercies and Judgments. I say then that they being such a People set a part, not onely in their fore-fathers, but in their present state, for such an end, and in this state being made strangers every where, and not lawfull for them to make any other account of themselves. And God having recommended the Entertainement of strangers as a speciall dutie of Charity unto all Christians; and no Nation of the World being a greater Object of charity, & fitter to be pitied by Christians then Jews. It is clear to me, that if the Question be put in Generall termes, concerning the Lawfulness of admitting of them; The answer cannot bee other then Affirmative. But if the Question be made concerning the Expediencie of admitting of them, at such and such a time, in this or that place, upon these or these termes, Then I suppose the great Rules of Expediencie are to be observed, Which are (1.) In respect of Gods Glory, according to the Apostles direction. 1. Cor. 10. Ver. 31. *Whether therefore ye eat or drink, or whatsoever ye do, do all to the Glory of God. Whatsoever then conduceth to the glory of God, is not only lawfull, but expedient to be done* (2.) In respect of our Neighbour, there is a Twofold Rule, the one is of Edification, the other avoiding Offences. The rule of Edification is expressed by the same Apostle, in the same Chapter, Ver. 23. 24. In these words. *All things are lawfull for me, but all things are not Expedient, All things are lawfull for me, but all things edifie not; Let no man seeke his owne, but every one that which is anothers.* Where the 23. Ver. puts

not Expedient and not edifying for equivalent termes, expounding each other, and equidistant from that which is lawfull. And the Ver. 24. shewes what is meant by edifying. The Rule of avoiding Offence, is again in the same place expressed Ver. 32. *Give no offence, neither to the Jews, nor to the Gentiles, nor to the Church of God. Even as I please all men, &c.* (3.) In respect of our selves the Rule is, that we our selves be not thereby deprived of our Christian or Civill Liberty; which the Apostle expresseth 1 Cor. 6. 12. In these words: *All things are lawfull for me, but all things are not Expedient; All things are lawfull for me, but I will not be brought under the power of any.* If in the Circumstances of their admission nothing be found contrary to those Rules, but all can be made consonant to the Glory of God, to the Edification of others, without danger of Offence, and without bringing a yoke upon Our selves; Then their admission will be judged not onely lawfull, but also expedient; And to determine how the Circumstances may agree with those Rules, doth belong chiefly to those, to whome the power of admitting of them is given by God; that is, to the Rulers of the State, without whose consent, no Societies ought to be formed in the State. For seeing the Jewes come into Christian Common-wealths, not as members thereof, but as strangers therein, and yet forme a Societie, or kind of Common-wealth amongst themselves, it can belong to none pertinently to judge of the Expediencie of admitting of them, but unto those whom God hath set over the Common-wealth to procure the welfare thereof: others may be consulted withall concerning particular Circumstances, which may be proposed unto them, to heare their opinion what they will judge of them; But upon the whole matter none ought to give a verdict, but such as can compare all Circumstances at once, with the frame of the whole State, to discern by the forenamed Rules, whether their admission be expedient or not: And seeing it may stand in their owne power, by the admission of them, to order things so towards them, as to make all Circumstances Consonant to the Rules of Expediencie, I conceive, it will bee their dutie, when they are intreated so to doe, to endeavor the performance thereof; And if they do not so, I know not how to excuse them from a failing in the dutie of their calling. And although particular Persons, to whom



whom the judgment, *super totam materiam*, doth not belong, ought not to meddle beyond their line in the business; yet being required to contribute their assistance and advice, how to frame things in a way towards them; which is most expedient, they ought not to refuse it. Therefore I also shall put in my mite among the rest, although I am at a great distance for the present, and cannot know how things stand at home.

If then the Question be: How their Admission may be so Circumstantiated, as to Answer the fore-named Rules of Expediency? I would advise thus:

1. To advance the glorie of God by their admission, I conceive they must be restrained from some things; and may be fairly induced to some other things. The things from which they must be restrained, are chiefly these. 1. Not to blaspheme the Person of Jesus Christ, or if any doth, that he shall be liable to the Law which *Moses* hath given, in case of blaspheming the Name of God. 2. Not to seduce any, or go about to make Proselytes: or if any doth, he shall *ipso facto* forfeit his Libertie, or undergo some other heavier punishment. 3. Not to profane the Christian Sabbath, but to rest upon it, as well as upon their own Sabbath; and not to dishonor any of the Ordinances of Christianitie, under some punishment to be inflicted, suitable to the offence.

The things whereunto they may be fairly induced, are as I conceive these. 1. To heare us, concerning the grounds which we have for Christianitie, and that with Patience, and without contradicting contentiously: but in case of doubts, that they should propose the same by way of Question to be resolved; that we may have cause to give them a reason of our Faith and Practice. 2. To declare to us the grounds of all their Faith and Practice, and to Answer such Questions, as we happily may propose to be resolved by them, upon such a Declaration. 3. To avoid on both sides all contradictory disputes in these Conferences, and not to trouble any of the weaker sort of either side, with the matters to be handled therein, but onely to sit them a-foot amongst a few of the Rabbies of each side, in a friendly way. Here at Cassel something hath been intended this way, by obliging them to come once a Month to a Lecture, wherein the grounds,

grounds of Christianitie were opened unto them, and although few or none have been thereby so openly converted, as to embrace all the truth; Yet some of them have been so moved that they have wept much sometimes at the things which they have heard: alio a small Catechisme of our beleefe, concerning the Messiah hath been penned for them, and they have been obliged to read it, and learne it, so as to Answer to the Question contained therein, that it might appeare they were not ignorant of our meaning, for the aim was onely to glorifie God in this. For the g'orie of our God is chiefly made manifest in his Truth and faithfulness to make good his Word? for he hath *Magnified his word above all his workes*; And if we can order their admission so, as to manifest unto them the truth of his Word revealed unto us by the promises of the Gospell, in the knowledge of his Name; and so lay that knowledg before them in the Lumpe, that they cannot but see that God hath appeared unto us, and doth rule us by Spirit and Truth, and makes a great difference between our Communion with himself and their Literall worshipping of him; if (I say) we can contrive in their admission the business so towards them, that they shall not onely be restrained from dishonouring our God and his Ordinances, or overthrowing his truth in the minds of any, but that they shall be made to see the goodnesse of Gods mercy to us, that he hath adopted us to be his People in their stead; Then the first Rule of Expediencie will be observed, and there will be no great difficultie to contrive the business so, that the other rules also will be put in practise. Now concerning the Method of spiritual Prudencie how to goe about this work towards them, is a subiect too large to be entred upon at this time: One Caveat onely may be suggested at present, which is this; That the scanning of particular questions and doubts which they may have concerning the Genealogie of Christ, and other circumstantial matters in the New Testament, should be avoided, and the main undeniable Truths wherein the Old and New Testament agree, and which make up the substance of Saving Knowledge, and of the Practise of Pietie, and the fulfilling both of the Promises made to Us, and the Threatnings denounced against Them, should be onely insisted upon, and branched out; to let them see the Bodie of the whole Truth of God, made out to us,  
and



and our endeavour to glorifie God thereby.

And thus much shall be at this time hinted at, concerning the Observation of the first Rule of Expediencie towards them in their Admission; which being not onely feasible, but a main dutie incumbent to all Christian Magistrates to intend and endeavour: It is to me evident, that their Admission is not onely lawful, but Expedient also.

II. To advance their Edification by their admission, according to the second Rule of Expediencie, I conceive matters may be so ordered towards them, that they may be made to understand, that the intention of the State in admitting of them, is not to have profit or temporall advantages by them; (which may be had aswell by our owne industrie, and perhaps better, without theirs) but rather out of Christian love and compassion towards them, and in witness of our thankfulness to God, for the good which hath been derived from them to us; and for the hope which we have, that all his goodness shall be fulfilled both in them and us, when the Messiah shall returne in his Glory. The Apostle saith, *that Charitie edifieth*, and it is a truth, approved by daily experience, that without Charitie, no ground can be laid of mutuall commerce, or increase of good things, mutuallly communicable. Therefore I would suggest humbly this; that to open a doore in their hard hearts, for doing good unto them, the Charitie of the State in the act of their admission, should be ratified towards them & they made fully sensible, that it is not for any profit, which they can bring to the State that they are admitted, but for a desire in us, for doing them good; for the good which through their Miseric is befallen to us Gentiles *viz.* that we have the Oracles of God by their meanes, preserved and conveyed to us, and the knowledge, and the accomplishment of the benefit of all the promises, whereof we desire, that they may be made partakers again with us: and this being made professedly the ground of their Admission; *viz.* our Thankfulness to God, to shew that mercie to them which he hath shewed to us: All other duties of good will, and lawful communion, tending to the accomplishment of this end, may be wisely and kindly built thereupon, so as without prejudice they will be glad to receive the same, and entertein the motions which we may make to that effect; and amongst other effects of our

love, they may receive by the same act of their Admission an assurance, that in all Treaties with the Nations which persecute and oppress them, a care shall be had of them & their Interests; as with *Spain* and *Portugall*, and the *Grand Signior*, and others, if any be, who seek to destroy them: That in publick Transactions their libertie of living with them shall be procured so far, as in the power of our State shall lie by Gods permission.

III. To avoid offences between them & us, in admitting of them, it will be expedient that they live by themselves, and that their worship be performed in their own tongue: that the Insolencies which the common sort of both sides may use one towards another, be prevented by Laws and special Orders, to keep them from inchoaching upon others beyond their bounds; for they are naturally more high minded then other Nations, and make lesse conscience of oppressing the Gentiles then others do; because they finde they are oppressed by them, and imagine themselves the onely noble people in the world; and therefore aspire to have, not onely libertie to live by themselves, but riches and power over others, where ever they can get it; which inclinations of theirs being the chief causes of offences, must be prevented, not as here in *Germany*, by making them base and vile; but by other more friendly wayes, which prudence and equitie will suggest.

IV To avoid the temporall inconveniencies which may arise from their covetous practices and biting usury, and other subtilities in trade, by which we of the Nation may be prejudged in our Liberty, and brought in some respect or other under their power. The wisdom of the State will looketo it, nor is it in my way to take it into consideration: Therefore I shall leave this last Rule of expediencie unto their vigilancie, and draw to a conclusion of these suggestions, wherein I have no more to say but this, That if they desire admittance, and will receive it in a way wherein these Rules can be observed, then they should be admitted, and that it will be sinne in those who will not admittethem upon these termes; or who will not propose such termes as these unto them, when they desire admittance; or who having an opportunity to invite them in their distresse, do not minde these principles in admitting of them, to give them entertainment in their Common-wealth. As for other Considerations of future hope, although

though I believ as much of them, as most men do; yet I can draw no argument from thence for any particular admittance of them at this time, because I know that the times and seasons of their deliverance is in Gods hand alone, and that we are very much inclined to mistake in conjectures of that nature. But the Universal Rules which are grounded upon the main Ends and duties of Christianiti; must be observed by those that will trust unto God for a blessing upon their endeavors. And when they have (towards such Ends, and according to such Duties) done that which they think is acceptable to God, then they ought to acquiesce, and leave the issue to Providence, which I am perswaded will be favorable to the State. And in this assurance I rest ever,

S I R!

*Your most affectionate and  
faithful servant in Christ*

Cassell, in haste,  
Januarie 8. 1656.

JOHN DURY.

## Postscript.

**C**oncerning the Jewes, if I can, I will send you the Abstract of the Lawes, by which they are received here. Our State doth wisely to goe warily, and by degrees, in the busines of receiwing them. Menasseh Ben Israels Demands are great, and the use which they make of great Priviledges, is not much to their commendation here, and elsewhere. They have wayes beyond all other men, to undermine a State, and to insinuate into those that are in Offices, and prejudicate the Trade of others; and therefore if they be not wisely restrained they will in short time be oppressive, if they be such as are here in Germany. To call in the Carait's would fright away these, for they are irreconcilable Enemies. Time must ripen these Designs, and Prudencie may lead them on.

F I N I S.



100

2

1947

45

100

1

10

2